

June 16, 1966

MEMORANDUM

TO: Boston Redevelopment Authority  
FROM: Edward J. Logue, Development Administrator  
SUBJECT: ZONING REFERRALS

I. ZONING COMMISSION

Re: Map Amendment Application No. 30  
John E. Laurenti

Petitioner seeks to change undeveloped area at corner of Cedar and Geneva Avenues in North Dorchester from a General Residence (R-.8) district to Local Business (L-1) zone. There are actually five corners at this intersection, including Cedar Avenue, which is presently a paper street. All of the corners except petitioner's property are zoned for business and his lot was so zoned until changed by the new zoning maps. Petitioner operates a small grocery store in block of stores on opposite corner and desires to build a small modern grocery store with parking accommodations on lot in question. He does now have a non-conforming business use on the property - a small wooden building used for a cab stand. Also, there is a ledge outcrop on part of the lot. In the Cedar-Geneva Avenue block there are presently under construction 65 apartment units at two locations. It appears that there will be more apartment construction and petitioner desires to build a larger and better store to accommodate new customers. Recommend approval.

VOTED: That in connection with Map Amendment Application No. 30 brought by John E. Laurenti to change lot containing 11,000 sq. ft. at 303 Geneva Avenue at corner of Cedar Avenue in North Dorchester, from a general residence (R-.8) zone to a local business (L-1) zone, the Boston Redevelopment Authority is in favor of the application for the following reasons:

- 1) the area covered by this petition presently has a permit for a non-conforming business use, a cab stand;
- 2) it would seem that this corner should be zoned the same as the other four corners at the intersection, i. e., for local business;
- 3) with present construction of sixty-five apartment units and probable additional units in the near future close to this location, it would appear that there will be need for a modern store with parking accommodation;



- 4) Because of poor topography on this lot with twenty foot high ledge outcrop on the two interior sides, it is doubtful that the lot will be developed for residential use;
- 5) the lot appears isolated now, is in an unkempt condition and it would be beneficial to the neighborhood to have it developed for business use.

Re: Special Order Application No. 5  
Municipal Garage in Government Center  
James J. Sullivan, Commissioner  
Real Property Department

This application of Commissioner of Real Property filed in accordance with St. 1956, C. 665, S. 2, requests a Special Order of the Zoning Commission to erect a municipal garage in the Government Center, a B-8 district, where dwellings are a permitted use. Area containing 176,862 sq. ft. is opposite the new Federal Building and bounded by Haymarket Square, New Sudbury Street, New Bowker Street and New Chardon Street.

VOTED: That in connection with Special Order Application No. 5 brought by the Commissioner of Real Property requesting a Special Order of the Zoning Commission to allow construction of a municipal garage in the Government Center, the Boston Redevelopment Authority recommends approval since the location is in a general business zone and has been designated from the beginning as a site for a municipal garage in the Government Center Urban Renewal Plan.



## II. CURRENT REFERRALS

3.

Re: Petition No. Z-513  
Mario Chisari  
56a Eliot St., Jamaica Plain

A forbidden use and variance for lot area per additional dwelling less than required are sought to change occupancy from two to three families in a single family (S-3) district. The proposed use is one house in from Pond Street which coincides with Jamaicaway at this point.. It is opposite the Childrens' Museum Annex which at present is the last of a string of institutions that have been established along the Jamaicaway from Perkins Street southerly. The two family use is a legal use but it appears that some ten years the building was illegally converted to three families. Since that time there have been several attempts by different owners to validate this use. However, it appears that Eliot Street is the demarcation line or holding line between single family use and more intense use and the inhabitants of the area are of that mind. A multi-family use only four or five houses away was denied only two months ago.

VOTED: That in connection with Petition No. Z-513, brought by Mario Chisari, 56a Eliot Street, Jamaica Plain, for a forbidden use and variance to change occupancy from two to three families in a single family district, the Boston Redevelopment Authority opposes the petition since it appears that this matter has been in litigation for some years, an application for multi-family use some four or five houses away was denied about two months ago and it seems that Eliot Street is the demarcation or holding line between single family use and a more intense use.

Re: Petition No. Z-514  
Charles L. Twitchell  
11 Newton Street, Brighton

A forbidden use and two variances, minimum lot area per additional unit less than required and floor area excessive are sought to change occupancy from one family dwelling to one family and repair shop in a residential (R-5) district. The appellant proposes to sharpen tools and knives as a home occupation in the basement. The building abuts an auto repair shop which is partially in a local business zone. Appellant claims noise will be confined to inside the house. Recommend no objection.



VOTED: That in connection with Petition No. Z-514, brought by Charles L. Twitchell, 11 Newton Street, Brighton, for a forbidden use and two variances to change occupancy from one family dwelling to one family and repair shop in a residential district, the Boston Redevelopment Authority has no objection to the granting of the variances, since the proposed use is adjacent to an auto repair shop which is partially in a local business zone.

Re: Petition No. Z-515  
 Lee S. King  
 466-468a Blue Hill Avenue, Roxbury

A forbidden use and four variances are sought to change occupancy in basement of existing building from repair shop garage to light manufacturing of scientific instruments in a general business (B-1) district. Occupancy of first and second floors would remain the same: bowling alleys, retail stores and offices. There is no objection to the use which is acceptable in the area, and the other variances are existing non-conforming dimensional violations. However, the Transportation Engineering Department objects for the following reasons: a manufacturing use in the basement would demand seven off-street parking spaces in addition to those which the uses in the first and second floors require but which are not supplied. Further demands on metered curb parking spaces and illegal parking practices would seriously aggravate the existing traffic congestion in the shopping center. Therefore recommend disapproval.

VOTED: That in connection with Petition No. Z-515, brought by Lee S. King, 466-468a Blue Hill Avenue, Roxbury, for a forbidden use and four variances to change occupancy to light manufacturing of scientific instruments in a general business district, the Boston Redevelopment Authority opposes the granting of the variances because the use would demand seven off-street parking spaces in addition to those which are required but not supplied and seriously aggravate the existing traffic congestion in this heavily traversed shopping center.



Re: Petition No. Z-516  
 Albert J. McChesney  
 871-873 Hyde Park Avenue, Hyde Park

Five variances, maximum floor area ratio exceeded, off-street parking not supplied, front, side and rear yards insufficient, are sought to erect an open air fruit stand in a local business (L.5) district. A three story frame dwelling and retail store presently exist on the lot. The stand, constructed of heavy galvanized steel wire, is erected and used for a fruit and vegetable business. The location is in the midst of manufacturing uses on the west side of Hyde Park Avenue. The use will be seasonal and approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-516, brought by Albert J. McChesney, 871-873 Hyde Park Avenue, Hyde Park, for five variances to erect an open air fruit stand in a local business district, the Boston Redevelopment Authority has no objection to the granting of the variances as the stand is erected, used for a fruit and vegetable business, and does not have a detrimental effect on the immediate area, which is composed of manufacturing uses between Hyde Park Avenue and the railroad.

Re: Petition No. Z-517  
 Bernard Ginsberg & Company  
 64 East Canton Street, Brighton

A variance of rear yard not supplied is sought to erect a one-story concrete block addition to a junk shop in a light manufacturing district. The South End staff is opposed as the premises are located in an area designated for acquisition and this use does not conform to the urban renewal plan. Recommend disapproval.

Optional case

Re: Petition No. Z-518

VOTED: That in connection with Petition No. Z-517, brought by Bernard Ginsberg and Company, 64 East Canton Street, Boston, for a variance of rear yard not supplied to erect a one-story addition to a junk shop in a light manufacturing district, the Boston Redevelopment Authority opposes the granting of the variance as the premises are located in an area slated for acquisition under the proposed South End Urban Renewal Plan and this use does not conform to the plan.

Re: Petition No. Z-518  
Modern Business Machines Co., Inc.  
415 Neponset Avenue, Dorchester

Variances for excessive floor area ratio and insufficient off-street parking are sought to erect a one-story concrete block addition in a local business (L.5) zone. An existing one-story wood structure in the rear will be replaced. The proposed extension will provide adequate operating space and be an asset to the area. At present, there is no provision for Off-street parking but plans for the new construction will allow for three of seven spaces required. The Transportation Engineering Department requests that access to parking spaces be guaranteed. Recommend approval.

Optional case.

VOTED: That in connection with Petition No. Z-518, brought by Modern Business Machines Co., Inc., 415 Neponset Avenue, Dorchester, for two variances to erect a one story concrete block addition in a local business (L-.5) district, the Boston Redevelopment Authority favors the granting of the variances provided access to the three parking spaces can be guaranteed. The new addition will provide more and better operating space and further, be an asset to the surrounding area.



Re: Petition No. Z-519  
 Francis J. Brennan & Vincent Giordano  
 40 Harvard Avenue, Hyde Park

Five dimensional variances and a forbidden use are sought to change occupancy from one family dwelling to one family and real estate insurance office in a residential (R-5) zone. The building has been used as an office and dwelling for a number of years without a legal change of occupancy. The immediate area is one of institutions and business uses. Worthy of a business zone extension except that better control over the uses can be exercised through the Board of Appeal, where the Public Library and High School are across the street.

VOTED: That in connection with Petition No. Z-519, brought by Francis J. Brennan and Vincent Giordano, 40 Harvard Avenue, Hyde Park, for five variances and a forbidden use to change occupancy to a one family and real estate and insurance office in a residential (R-5) zone, the Boston Redevelopment Authority has no objection to the granting of the variances as the proposed use has been in existence for a number of years without a legal change, and as the immediate area is one of business and institutions, the use will not have an adverse affect.

Re: Petition No. Z-520  
 Blue Ideal Laundry  
 9-11 Columbine Street, Dorchester

Extension of a non-conforming use is sought to erect a one story concrete block addition to a laundry in a general business (B-1) district. The proposed extension will house new automatic machinery which will eliminate the noise and heat of the older equipment and also provide better working conditions. Recommend the variances be granted.

VOTED: That in connection with Petition No. Z-520, brought by Blue Ideal Laundry, 9-11 Columbine Street, Dorchester, for extension of a non-conforming use to erect a one story rear addition to a laundry, in a general business district, the Boston Redevelopment Authority has no objection to the granting of the variance because in this case of normal expansion, modern equipment will be provided, better working conditions will prevail and there will be less noise and heat from the new machinery than with the older equipment.



Re: Petition No. Z-521  
Salvatore Pizzi  
259 Beacon Street, Boston

Three variances, excessive floor area ratio, set back of parapet less than required and off-street parking less than required, are sought to change occupancy from 28 to 32 apartments in an apartment (H-5) zone. The appellant proposes to erect a 7th floor, four unit addition. Two off-street parking spaces would be required in addition to eleven which are not supplied. The Back Bay project director and the Transportation Engineering Department recommend disapproval on this point.

Optional case.

VOTED: That in connection with Petition No. Z-521, brought by Salvatore Pizzi, 259 Beacon Street, Boston, for three variances to change occupancy from 28 to 32 apartments in an apartment district, the Boston Redevelopment Authority objects to the granting of the variances because the lack of off-street parking would further aggravate the heavy flow of traffic in this congested area.

Re: Petition No. Z-522  
J. Levine  
9 Upton Street, Boston

Variances for open space and off-street parking less than required are sought to change occupancy from one family to four apartments in an apartment (H-2) district in the South End. Code requires 2.8 parking spaces but only two can be supplied on the lot. However new plumbing facilities are being supplied throughout. The South End staff has no objection and recommend no objection.

Optional case.

VOTED: That in connection with Petition No. Z-522, brought by J. Levine, 9 Upton Street, Boston, for two variances to change occupancy from one family to four apartments in an apartment district, the Boston Redevelopment Authority has no objection since location is in a rehabilitation area and new plumbing facilities are being supplied throughout.



Re: Petition No. Z-523  
Pasquale, Arthur, George, Ruddy Centola  
72-80 Waverly Street, Brighton

Due to order of Building Commissioner to cease parking of motor trucks in a residential (R-.5) district, appellant now seeks a variance for such use: Petitioner owns and operates a trucking business on Western Avenue in a manufacturing (M-1) zone. Has been using two lots, which face on Waverly Street but are in the rear of his property on Western Avenue, for truck parking. This very property was the subject of a Supreme Court denial of this use ten years ago. At that time Western Avenue was zoned for this type of use for depth of 100 feet. The Board of Zoning Adjustment decision to allow extension of zone and this use into these lots was denied by the Supreme Court as being spot zoning. Now there is a new zoning set-up wherein the depth of the manufacturing zone on Western Avenue has been increased an additional fifty feet and with the thirty foot transition clause the petition has a legal right to use part of the lot but not all and he will have a twenty foot driveway access from Waverly Street. Presumably the Supreme Court reason for denial because of encroaching on a residential district still holds so recommend denial, realizing that he has legal right to use half the area applied for.

VOTED: That in connection with Petition No. Z-523, brought by Pasquale, Arthur, George, Ruddy Centola, 72-80 Waverly Street, Brighton, seeking a variance to validate parking of trucks in a residential district, which had been ordered ceased by the Building Commissioner, the Boston Redevelopment Authority recommends denial for the following reasons: Ten years ago, the Board of Zoning Adjustment extended the business zone on Western Avenue to include these exact properties for the same use. The Supreme Court annulled the decision because it encroached on residential district. With the establishment of the new zoning code, the depth of the manufacturing zone on Western Avenue has been increased an additional 50 feet and with the thirty foot transition clause the petitioner has a legal right to use half of the lot for parking of trucks. Presumably the Supreme Court grounds for denial are still existant concerning the remainder of the lot.



Re: Petition No. Z-524  
Washington Street Realty Trust  
227-275 Washington Street, Boston

Variances of rear yard less than required and front and rear parapet setbacks less than required, are sought to erect a self service parking garage in a general business (B-10) zone. The structure will consist of two basements for parking, ground floor for commercial use and seven levels of parking above the ground floor. Entrances and exits will be located at Washington Street and Court Square. The Central Business District Project Director and Transportation Division have no objection and approval is recommended.

Optional case.

VOTED: That in connection with Petition No. Z-524, brought by Washington Street Realty Trust, 227-275 Washington Street, Boston, for three variances to erect a self service parking structure in a general business district, the Boston Redevelopment Authority recommends the granting of the variances since the structure conforms with the Central Business District Renewal Plan and it is felt that because the circular ramp in the rear will be an open type design that any loss of light and air will be minimal.